

JOINER COULEE ACCESS EASEMENT ENVIRONMENTAL ASSESSMENT DECISION NOTICE

**Montana Fish, Wildlife & Parks
Region 6, Glasgow
February 22, 2016**

Background

On January 6, 2016 Montana Fish, Wildlife & Parks (MFWP) distributed a draft Environmental Assessment (EA) on a proposed action of purchasing a one-mile road access easement in North Phillips County from Wetlands America Trust Inc. The Fish and Wildlife Commission (the Commission) at the July 10, 2013 Commission Meeting in Helena endorsed MFWP moving forward with the EA process and if warranted through the process, return to the Commission with a final recommendation for approval of this action.

Description of the Proposed Action

Montana Fish, Wildlife and Parks proposes to purchase a 30-foot wide permanent road easement on an existing road which would allow the public to cross approximately one-mile of private land in northern Phillips County. The road easement would be granted by Wetlands America Trust Inc., a division of Ducks Unlimited (DU), and the easement would be held by FWP. It is the intention of FWP that the road easement would eventually be granted to the Bureau of Land Management (BLM). The BLM administers the public land the easement would immediately serve. In the event that the BLM would reject the road easement, the easements would remain held by FWP.

The road has been used predominately by the hunting public to access BLM and DNRC lands adjacent to the Cottonwood Creek drainage through private land. The road easement would permanently secure this motorized access. It is anticipated that maintenance would be fairly infrequent and relatively light-duty, consisting primarily of smoothing with a blade. Signage to identify the area of road easement and the installation of gate closures are additional planned management activities.

The value of the road easement is estimated to be \$30,000 which is a negotiated amount based on similar access easement transactions completed by FWP. DU is willing to donate \$10,000 thus FWP would be paying DU \$20,000 for the road easement.

Physical and Human Impacts of Project

Several resource issues relevant to the proposed action of purchasing the access easement were evaluated. These include effects to the physical and human environment. In all cases, the proposed action will have no significant impacts to those relevant issues.

Issues related to the physical environment that will have no significant impact include those impacts to land resources, vegetation, fish and wildlife, and land use. Since the road is already in existence, impacts are limited to potential future road maintenance and repair activities. These minor impacts can easily be avoided or minimized through restricting timing and duration of

road maintenance which are currently limited to be after July 15 in the easement in order to minimize impacts to ground nesting birds.

Several issues were considered but were eliminated from detailed analysis because they were not significant. These non-impacted issues include those related to air, water, noise, risk to human health, and public services. While these resources are important, they were unaffected by the proposed action.

Public Comment

MFWP is required by the Montana Environmental Policy Act (MEPA) to assess significant potential impacts of a proposed action to the human and physical environment. In compliance with MEPA, an EA was completed for the proposed project by MFWP and released for public comment on January 6, 2016.

Public comments on the proposed project were taken for 30 days, ending February 5, 2016. The EA was provided to news media outlets in Montana as well as 22 separate entities that included state agencies, agricultural groups, County Commissioners, NGO's, federal agencies and neighboring properties. Lastly, the EA was posted and remains on the FWP webpage: <http://www.fwp.mt.gov/publicnotices>.

Two written comments were received on the draft proposal. Both comments supported the proposed action.

Decision

Based on the analysis within the EA, public comments and internal review, the Draft EA will be adopted as the Final EA. This Decision Notice and the Final EA will serve as the final documents pertaining to this action.

FWP recognizes that there will be no significant impacts on the human and physical environments associated with this project. Therefore, I conclude that an Environmental Assessment is the appropriate level of analysis and that an Environmental Impact Statement is not required.

In consideration of these facts and the public support received, I am pleased recommend to the Fish and Wildlife Commission to approve the purchase of the 1-mile road easement, as described in the proposed action.



February 22, 2016

Mark Sullivan
Region Six Supervisor
